

P-539, 407, 421/CP-92-1201 ORDER AFTER RECONSIDERATION REJECTING
TWO ROUTES

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Marshall Johnson
Cynthia A. Kitlinski
Dee Knaak

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of a Petition for
Extended Area Service From
Kasson and Mantorville to Byron
and Rochester, Rock Dell, and
Dodge Center

ISSUE DATE: September 24, 1993

DOCKET NO. P-539, 407, 421/CP-
92-1201

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PROCEDURAL HISTORY

On October 14, 1992, the Commission received a petition requesting extended area service (EAS) between the Kasson and Mantorville exchanges and four other exchanges, including the Dodge Center exchange.

On October 27, 1992, the Minnesota Department of Public Service (the Department) sent a letter to the telephone company serving the Kasson and Mantorville exchanges, Kasson-Mantorville Telephone Company (the Company) requesting that it file traffic studies regarding calls from the Kasson exchange and the petitioned exchanges and from the Mantorville exchange and the petitioned exchanges.

On December 9, 1992, the Company filed traffic studies which it later corrected in a filing made on June 1, 1993.

On June 7, 1993, the Department filed a letter with the Commission regarding the traffic studies.

On July 22, 1993, the Commission issued its ORDER FINDING ADJACENCY AND SUFFICIENT TRAFFIC VOLUME AND REQUIRING FURTHER FILINGS.

On September 7, 1993, the Commission met to consider this matter.

FINDINGS AND CONCLUSIONS

On its own motion, the Commission has reviewed the adequacy of the traffic between Kasson and Dodge Center and between Mantorville and Dodge Center. In only one month out of five reported did 50 percent of Kasson customers make one or more calls to Dodge Center. Similarly, in only one month in five

reported did 50 percent of Mantorville customers call Dodge Center. Also, for both exchanges the average percentage of customers making one or more calls to Dodge Center was less than 50 percent.

Consistent with its analysis and decision regarding the Waterville EAS petition¹, the Commission has reconsidered its decision regarding the forementioned proposed EAS routes and find that they fail to meet the statutory traffic requirement. That requirement is: 50 percent of the subscribers in the petitioning exchange must make one or more calls per month to the petitioned exchange or calling area. Minn. Stat. § 237.161, subd. 1 (a) (1992). On reconsideration, the traffic study on file in this matter shows that traffic from Kasson to Dodge Center and from Mantorville to Dodge Center is insufficient to meet the statutory criterion. The statutory language clearly requires an element of typicality in the achievement of the stated calling level which is absent with respect to these two routes.

Accordingly, the petition will be denied as to these two routes for failure to meet the statutory requirement regarding traffic. The Commission's July 22, 1993 Order in this matter will be amended accordingly. The other proposed routes (Kasson-Bryon/Rochester, Kasson-Rock Dell, Mantorville-Bryon/Rochester, and Mantorville-Rock Dell) remain pending and the July 22, 1993 Order requiring additional filings remains unchanged with respect to those routes.

ORDER

1. The Commission's July 22, 1993 Order in this matter will be amended to deny two routes proposed in this matter:
1) Kasson to Dodge City and 2) Mantorville to Dodge City.
2. Timelines established in the July 22, 1993 Order remain in effect regarding all remaining routes.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Susan Mackenzie
Acting Executive Secretary

(S E A L)

¹ In the Matter of a Petition for Extended Area Service From Waterville to Waseca, Morristown/Faribault, LeCenter, and St. Peter, Docket No. P-405, 503, 421/CP-93-551, ORDER DENYING PETITION AND CLOSING DOCKET (September 24, 1993).